

AO 91 (Rev. 11/11) Criminal Complaint

UNITED STATES DISTRICT COURT

for the

Southern District of West Virginia

United States of America
v.
KEVIN GERARD DENSON

Case No.
2:22-mj-00095



Defendant(s)

CRIMINAL COMPLAINT BY RELIABLE ELECTRONIC SOURCE

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of June 30, 2022 in the county of Kanawha in the
Southern District of West Virginia, the defendant(s) violated:

<i>Code Section</i>	<i>Offense Description</i>
18 U.S.C. §§ 922(g)(1) & 924(a)(2)	Felon in possession of a firearm

This criminal complaint is based on these facts:

See attached affidavit.

☒ Continued on the attached sheet.


Complainant's signature

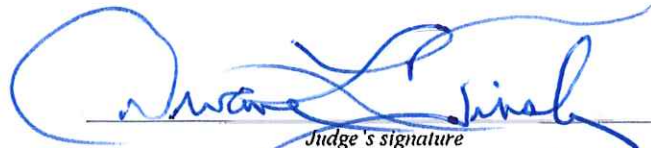
Det. Anthony Thomas, ATF TFO
Printed name and title

Sworn telephonically (reliable electronic means) by
me.

Date:

July 14, 2022

City and state: Charleston, West Virginia


Judge's signature

Dwane L. Tinsley, United States Magistrate Judge
Printed name and title

AFFIDAVIT

STATE OF WEST VIRGINIA
COUNTY OF KANAWHA, to-wit:

I, Detective Anthony Thomas, being first duly sworn, do hereby depose and state as follows:

1. I am currently employed with the Charleston Police Department ("CPD") and have been so for seven years. For the past three and a half years I have been assigned to the Criminal Investigation Division where I am charged with investigating all major crimes including, but not limited to, homicides, shootings, robberies, sexual assaults, and missing persons. I am further assigned as a Task Force Officer ("TFO") with the Bureau of Alcohol, Tobacco, Firearms and Explosives ("ATF"). My duties with the ATF include investigating the illegal use, possession, sale, purchase, and theft of firearms and ammunition.

2. This affidavit is made in support of a criminal complaint charging KEVIN GERARD DENSON ("DENSON") with being a felon in possession of a firearm, in violation of 18 U.S.C. §§ 922(g)(1) and 924(a)(2). The information set forth in this affidavit is based upon the reports and investigation of other officers, as well as my own personal investigation and observations. This affidavit does not contain each fact known to other officers and me but does set forth facts sufficient to establish probable cause for the charged offense.

3. On or about June 30, 2022, officers with the Charleston Police Department were dispatched to the area of 219 Leon Sullivan Way, Charleston, Kanawha County, West Virginia, for a shots fired call. Upon arrival, officers observed a bullet hole in the front of Jet Life Apparel, a business located at 216 Leon Sullivan Way, Charleston, West Virginia.

4. A responding CPD officer also observed a dark colored SUV in an alley near Jet Life Apparel. The officer approached the vehicle and observed two guns in the back seat, where


DENSON was observed exiting. The two guns were seized, found to be loaded, and identified as a Dickinson Arms 12-gauge shotgun with a drum magazine and a Smith & Wesson AR15 rifle with a drum magazine.

5. I subsequently observed surveillance video from inside Jet Life Apparel and observed DENSON carrying the two firearms recovered in the vehicle mentioned above. These events occurred in the Southern District of West Virginia.

6. I have reviewed court records indicating that DENSON was convicted on or about June 12, 2013, in the Circuit Court of Kanawha County, West Virginia, of the felony offense of Delivery of Cocaine, which is punishable by a term of imprisonment exceeding one year. I have also reviewed a court document signed by DENSON in which he acknowledged, as part of his plea, that he could be sentenced to an indeterminate term of 1 – 15 years and therefore, at the time DENSON possessed the above-described firearms, he knew that he had previously been convicted of a crime punishable by imprisonment exceeding one year.

7. I know that the firearms listed above are not manufactured within the State of West Virginia and, therefore, have traveled in interstate commerce.

Further your affiant sayeth naught.


DET. ANTHONY THOMAS
TASK FORCE OFFICER, BUREAU OF
ALCOHOL, TOBACCO, FIREARMS,
AND EXPLOSIVES

Sworn to by the affiant telephonically in accordance with the procedures of Rule 4.1 this
14th day of July 2022.


DWANE L. TINSLEY
United States Magistrate Judge